

*Rakoff, S*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE MERRILL LYNCH & CO., INC.	:	x
SECURITIES, DERIVATIVE AND ERISA	:	
LITIGATION	:	
	:	Master File No:
	:	07cv9633 (JSR)
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This Document Relates To: Derivative Action,	:	ECF Case
07cv9696 (JSR) (DFE)	:	
	:	
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STIPULATION AND [PROPOSED] ORDER EXTENDING  
THE TIME FOR DEFENDANTS TO MOVE OR ANSWER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that the time for defendants to move or answer with respect to the Verified Third Amended Shareholder Derivative and Class Action Complaint is hereby extended until September 21, 2009.

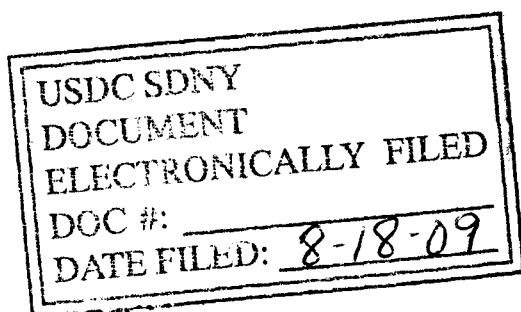
Dated: August 6, 2009

Respectfully submitted,

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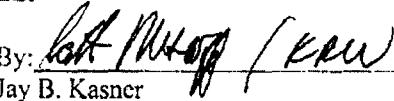


WACHTELL LIPTON, ROSEN & KATZ

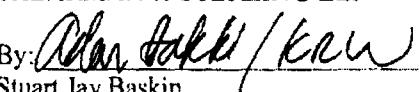
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IT IS SO ORDERED:

Jessell Bell  
U.S.D.J.

Dated: 8/18/09